

REMARKS

Preliminarily, Applicants correct the record as follows.

Example 1 of U.S. Patent 4,295,976 to Dessaint et al. evaluates various characteristics of fabric treated with either Bath A of the Invention (containing a polyfluorinated copolymer of Example 1 of the '976 Patent) or Comparative Bath B (containing a mixture of polyfluorinated copolymers according to Example 2 of French Patent No. 2,175,332).

French Patent No. 2,175,332 corresponds to U.S. Patent 4,032,495. Example 2 of the '495 Patent describes the preparation an aqueous dispersion of a copolymer including units derived from a polyfluorinated vinyl monomer of the formula shown at column 10 of the '976 Patent including a perfluorinated C_6F_{13} -group. One difference between the polyfluorinated copolymer of Example 2 of the '495 Patent and the polyfluorinated copolymer of Example 1 of the '976 Patent is that in Example 1 of the '976 Patent, the polyfluorinated vinyl monomer common to both is further reacted with a thioglycolic ester. On the other hand, in Example 2 of the '495 Patent, the polyfluorinated vinyl monomer is copolymerized with heptyl methacrylate and N-methylol acrylamide.

In the Preliminary Amendment filed June 18, 2003, the argument was made that Dessaint et al. emphasizes that perfluorinated copolymers have poor soil release properties, citing the test results for Comparative Bath B containing a mixture of perfluorinated copolymers prepared by the process described in French Patent No. 2,175,332. This characterization was incorrect.

Rather, the '976 Patent teaches that polyfluorinated copolymers comprising a polyfluorinated vinyl monomer of the formula shown at column 10, line 30, without further

reaction with a thioglycolic ester (as employed in Comparative Bath B), have poor soil release properties. Neither the copolymer of the '976 Patent nor the copolymer of U.S. Patent 4,032,495 corresponding to French Patent No. 2,175,332 concerns perfluoroolefin units *per se*, and the description of "mixture of perfluorinated copolymers" at column 10, line 46 of the '976 Patent is misleading.

In view of the above, claim 1 has been amended to its original form, and no longer requires the fluorine-containing resin having a reactive curable group to be a polymer having one of chlorotrifluoroethylene unit and tetrafluoroethylene unit.

Review and reconsideration on the merits are requested.

Claims 1-5, 7-9 and 11-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,229,461 to Saitoh et al. in view of U.S. Patent 4,295,976 to Dessaint et al.

The grounds for rejection remain the same as set forth in the previous Office Action. Namely, the reason for rejection was that it would have been obvious to apply the coating composition of Saitoh et al. to leather because Dessaint et al. is said to disclose that materials such as metals, plastics, wood, concrete and leather are considered equivalent substrates for application of fluorinated anti-staining coatings.

Applicants traverse, and respectfully traverse for the following reasons.

Saitoh et al. discloses the claimed fluorine-containing resin coating composition. The only question lies in applicability of Saitoh et al. to leather as a substrate as opposed to metal, wood, concrete, plastic and the like. The Examiner generally relies on Dessaint et al. as

disclosing that materials such as metals, plastics, wood materials, concrete and leather are considered equivalent substrates for fluorinated anti-stain coatings.

However, the disclosure of Dessaint et al. as to equivalency of substrates for fluorinated anti-stain coatings is limited to specific copolymers prepared by the reaction of a polyfluorinated vinyl monomer having a perfluorinated chain with a thioglycolic ester, and it would be improper to extend such teaching to fluorinated anti-stain coatings in general. Notably, the polyfluorinated copolymers of the '495 Patent also comprising the same polyfluorinated vinyl monomer having a perfluorinated chain but not reacted with a thioglycolic ester provided poor soil release properties. That is, Dessaint et al. teaches equivalency of substrate only as to fluorinated copolymers of a thioglycolic ester and a vinyl monomer having a perfluorinated chain, but not for fluorinated copolymers in general.

Restated, the teaching of Dessaint et al as to equivalence of leather, wood, plastic, etc., should be confined to the particular coatings of Dessaint et al, and should not extend to the different coating of Saitoh et al.

In view of the above, it is respectfully submitted that the present claims are patentable over Saitoh et al in view of Dessaint et al, and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-5, 7-9 and 11-19 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

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Respectfully submitted,



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CUSTOMER NUMBER

Date: November 26, 2003